

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

June 5, 2012

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:02 a.m. on June 5, 2012.

(a) Commissioners present at the Commission meeting:

Ron Brown
Michael Christoffersen
Tom Cloud
Michael Corey
Hattie Sims, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell

Commissioners not present at the Commission meeting:

Diana M. H. Brenner
Ted Ogle, Vice-Chairman

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, was present.

2. Old Business.

A call for any corrections or a motion to approve the minutes of the May 2, 2012 meeting as distributed was made.

Commissioner Corey moved to approve the minutes as distributed, with the second by Commissioner Christoffersen. It was voted upon and carried.

3. Variances.

Tabled Variances.

Variance 12-2-35 Mucky Duck Pub, Indianapolis, was represented by pub owner Todd Johnson, building owner Doug Klink, and Tim Callas, J&T Consulting. The wall in question from the previous month was determined to be a 2-hour fire barrier. The owner offered to install a manual fire alarm with strobes and horns. A shunt trip to cut power to the audio for the band area was also to be provided. Panic hardware was to be put on the doors, and a 24 inch wide aisle would be established through the seating area connecting exits. Following discussion, Commissioner Christoffersen moved to approve with the condition that an additional exit door be installed at the lower left of the drawing submitted to make a double door exit, an automatic smoke and fire alarm system be installed, a shunt trip in the area of the band be installed, no open flame, and no pyrotechnics and no fog machines be allowed. Commissioner Hawkins made the second. It was voted upon and carried with two nay votes. Variance 12-03-46 The Awakening Community Church, Huntington, had no proponent present. Commissioner Corey moved to table, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 12-05-8, North Park Community Church Renovation, Ft. Wayne, was represented by Dennis Bradshaw, FP&C Consultants. Also present was Gary Voirol, architect. The written estimate to provide sprinklers had been provided, as well as a floor plan of the church. It was noted that there was not a water supply available to handle the sprinkler system, so that cost would need to be added to the estimate. There was a smoke detection system, and double the amount of exit capacity required. The travel distance was also half of what was allowed by code. Following discussion, Commissioner Brown moved to table so the owners could consider installation of separation walls. The second was made by Commissioner Hawkins. The motion was voted upon and failed. Commissioner Hawkins moved to approve with the installation of an additional exit opposite the existing exit door at the rear of the sanctuary, and the west wall of the sanctuary shall be configured to prevent the passage of smoke. Commissioner Christoffersen made the second. It was voted upon and carried with one nay vote. The proponent for variance 12-05-12 The Well, United Brethren in Christ Church Renovation, Huntington, and the proponent for variance 12-05-22 Hendricks County Sports Complex Softball Pavilion, Indianapolis, had requested the applications be tabled. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried. Variance 12-05-20 May Residence Windows, Bloomington, was now complete and would have been eligible for the block vote. Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance 12-05-21 DOT Foods, Cambridge City, had no proponent present. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried.

Regular Variances.

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Commissioner Cloud called out 12-06-48 Carmel City Center Encore Celebration Gala, Carmel. Commissioner Hawkins noted he was abstaining from voting on 12-06-19 Morgan Foods 2012 Addition, Austin. Commissioner Cloud abstained from 12-06-51 Ball State University Museum of Art Renovation, Muncie, and 12-06-57(a)(b) Fashion Mall at Keystone Additions and Renovations, Indianapolis. Commissioner Corey then moved to approve all other variances with an "A" or "B" rating, with the second by Commissioner Christoffersen. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 12-06-2 Purdue University – Northwest Athletics Complex, West Lafayette
- (2) 12-06-3 Dow AgroSciences Show Farm Tents, Kirklin
- (3) 12-06-4 A & M Woodworking, Millersburg
- (4) 12-06-8(f)(i) 451 Market Street, Indianapolis

- (5) 12-06-9(a)(b) One America Parking Facility, Indianapolis
- (6) 12-06-10 Scholars Lofts Apartments, Bloomington
- (7) 12-06-13 North College Avenue Apartments LLC, Bloomington
- (8) 12-06-14 City Way – Buildings 6 & 7, Indianapolis
- (9) 12-06-15 City Way – Buildings 1, 2a, 2b & 8, Indianapolis
- (10) 12-06-16(a)(c)(f) The Axis, Indianapolis
- (11) 12-06-21 904 S. Madison Windows, Bloomington
- (12) 12-06-23 Klipsch Building, Indianapolis
- (13) 12-06-24 Wild River Nursery Structure, Fishers
- (14) 12-06-32 1010 Central, Indianapolis
- (15) 12-06-37 Porter – VOC – Renovations, Valparaiso
- (16) 12-06-38 IU Health Ball Memorial Endo-Histology-MEP Infrastructure, Muncie
- (17) 12-06-44 Wawasee Middle School, Syracuse
- (18) 12-06-46 Thermoplastic Division Addition, Goshen
- (19) 12-06-47 Woolery Mill, Bloomington
- (20) 12-06-49 Ryker Reserve, Ft. Wayne
- (21) 12-06-50 First Watch Restaurant, Indianapolis
- (22) 12-06-54 Centerville Jr/Sr High School Re-roof, Centerville
- (23) 12-06-58 Pizza Hut Pine Valley, Ft. Wayne

The following variances were heard separately:

- (24) 12-06-1 Lincoln Elementary School, Huntington

Tracey Shafer, Superintendent of Huntington School Corporation, spoke as proponent. Teachers had personally purchased material to use to cover bookshelves, make valances, and such to make the rooms more pleasant for the students. During the last inspection, Marc Reynolds, Fire and Building Code Enforcement, had cited them due to a policy change in the department. If materials used could not be proven to be made of material that complied with the flame propagation performance criteria of NFPA 701, they were to be cited. Mr. Shafer had proposed to spray the material with a flame retardant solution which had been tested and approved in California. Records would be kept of when the materials were treated, and made available for inspections. The building was sprinklered. After discussion, Commissioner Christoffersen moved that no variance was required and that they would need to document the treatment of the material, with the second by Commissioner Hawkins. It was voted upon and carried with one nay.

- (25) 12-06-5 Lizton “C” Store, Lizton

Staff had suggested that no variance was required because the space served by the vestibule was less than 3,000 square feet. Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Hawkins. It was voted upon and carried.

- (26) 12-06-6 The Main Gate Restaurant and Sports Bar, Evansville

Steve Fritz, building owner, spoke as proponent. He was joined by Michael Hill, Main Gate owner, and Ben Miller, the local building official. The business and the owner of the building were unable to comply with the installation of sprinklers as was established as a condition of variance 11-10-30. Due to non-compliance, the variance had been revoked. The proponents now requested that they be allowed to omit the sprinkler system, but install a monitored fire detection system, provide additional fire extinguishers, exit lighting, and an additional stairway from the second floor. They also wished to retain the use of the second floor with a 49 person occupancy load. The fire department provided a letter for Commission consideration. Following discussion, Commissioner Brown moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

- (27) 12-06-7 8335 Keystone Crossing Office building, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of plastic pipe penetrating three non-rated floor systems of a sprinklered building. The annular space of the piping was to be filled with fire stop materials. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission at 10:33 a.m. It was called back to order at 10:51 am.

- (28) 12-06-8(a)(b)(c)(d)(e)(g)(h)(j)(k)(l) 451 Market Street, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The concrete, waffle slab building was to have the existing second floor computer center for a bank converted to apartments. Variance (a) was to allow the clothes dryer exhaust ducts to exceed the allowed length. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to be allowed to use an NFPA 13R system on the upper stories of the five-story building. NFPA 13R was to be allowing four stories use of the sprinkler system in the new edition. Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was to allow two stories of waffle slab to be used in the podium structure. The building was sprinklered, and $\frac{5}{8}$ " Type X drywall was to be applied to the ceilings of the second floor apartments. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (d) was a request to use wood partitions in the apartments being constructed on the second floor which is concrete construction. Apartments would be separated by 2-hour construction, and a 1-hour corridor would be provided. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (e) was to allow the fire walls to not be structurally independent in the existing building. The parking garage was to be sprinklered using an NFPA 13 system, and a 13R system was to be used on the second floor. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (g) was a request to terminate the fire walls on the concrete slab of the second floor instead of the first floor as required by code. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (h) was withdrawn. Variance (j) was a request to omit attic access hatches. The attic was not usable due to the tight space formed by the roof trusses for the flat roof, leaving the required 30" height available only at intermittent areas. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (k) was a request to omit the emergency showers, eyewash station, service sink, and drinking fountain and lavatories required per Table 29. There was to be no repair facilities provided, making this unnecessary. Commissioner Christoffersen moved to approve with the condition that the application be signed within five days. Commissioner Corey made the second. It was voted upon and carried. Variance (l) was a request to fire-rate the concrete fiber board exterior walls for fire exposure from the inside only, not both sides as required by code. Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (29) 12-06-11 Princeton New High School, Princeton

Roger Lehman, RLehman Consulting, spoke as proponent. Some architectural offsets had been removed which caused the room to be bigger than it was designed to be. The request was to allow the second exit for the room to pass through an ag shop accessory area to reach the exterior. This area was not listed as an H occupancy by Plan Review, but the state inspector declared it a High Hazard area. The school would stripe the exit path and keep it clear of obstruction. The actual occupant load of the room is currently 24. The school requested a posted and enforced occupant load of 40 instead of the calculated occupant load which exceeded the allowable 49 for a single exit. Following discussion, Commissioner Mitchell moved to approve with conditions of striping of the floor, with the striped area to be kept unobstructed, and an occupant load of 40. Commissioner Corey made the second. It was voted upon and carried.

(30) 12-06-12 Detour Brewing Company LLC, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing building in downtown Bloomington had four apartments on the second floor, retail on the first floor, and a brewery to be moved into the basement of the building. The M-occupancy retail space was to be changed to an A-2 occupancy bar. The project did not pass the Sec. 3410 analysis. The request was for 27 points needed to pass. A 5/8" layer of Type X gypsum board would be used to cover the solid wood joists in the basement and on first floor ceilings. A 60-minute rated door assembly would be installed at the front stair to the basement, and emergency lighting provided. The fire alarm system must be monitored, and the owner didn't want the continued cost. Interconnection of the fire alarm system was discussed. Following discussion, Commissioner Christoffersen moved to approve with the condition that the fire alarm systems of the basement, first floor and common areas of the second floor be monitored, and drywall be applied to the ceilings for 1-hour separations. Commissioner Hawkins made the second. It was voted upon and carried with two nay votes.

(31) 12-06-16(b)(d)(e)(g)(h)(i)(j) The Axis, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in (b) was to omit attic access. The roof truss diagonal bracing and planned insulation for the flat roof would make access difficult, and there are only intermittent areas where the height of the space is greater than 30 inches. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (d) was to allow some of the apartments to exit through the fire wall into a sprinklered garage with enclosed stairs. Following discussion, Commissioner Hawkins moved no variance was required, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (e) was withdrawn. Variance (g) was a request to omit structurally independent fire walls. The structures were to be sprinklered, and the walls to bear on the garage walls. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (i) was a request to allow clothes dryer exhaust ducts to exceed the code-compliant 25 feet. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (j) was withdrawn.

(32) 12-06-17(a)(b) Gibson County Fair Multipurpose Pavilion, Princeton

R. Jeff Clark, Gibson County Fair Board, spoke as proponent. It was found that the building had not originally been constructed to code, and that the owners had not been aware of this condition. It was a pre-engineered, steel structure with a dirt floor, and was used for showing animals, tractor pull exhibitions, and a back-up location for the occasional outdoor concert. There were temporary grandstands located by the 250 foot wall of overhead doors, locked open when the building was in use. Overhead doors are also located on the north and south ends of the building, with horse stalls on the west wall. Variance (a) was a request to omit sprinklers in the unconditioned building. Variance (b) was a request to omit code-compliant exit doors. Due to the configuration of the existing building and the overhead doors in place, it would be difficult to install compliant doors without obstructing access to stalls and such. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Christoffersen. It was voted upon and carried.

(33) 12-06-18 Woodburn Graphics, Terre Haute

Jim Pendergast and Larry Natalie, Woodburn Graphics, spoke as proponents. The request was to be allowed one year in which to bring the freight elevator into compliance for the safety bulkhead requirement. The cost of the repairs and the loss of the use of the elevator would have a severe impact on their business at this time. The unit has had regular inspections and maintenance since its installation, and has not had any major issues. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (34) 12-06-19 Morgan Foods 2012 Addition, Austin

Todd Magner, Koetter Construction, spoke as proponent. Portions of the existing building would remain unsprinklered after the addition of a sprinklered S-2 addition, causing non-compliance with unlimited area requirements. The balance of the building would remain unsprinklered until demolished for future expansion, and the new construction would then be sprinklered. Following discussion, Commissioner Brown moved to approve with the second by Commissioner Corey. Commissioner Hawkins abstained.

- (35) 12-06-20 Dollar General Store, Terre Haute

Mark Foster, Foster Consultants, spoke as proponent. The request was to be allowed to not comply with the code required opening every fifty linear feet or fraction thereof. Placement of doors to fully comply would result in doors which opened into a break room and into a restroom. A lengthy discussion was held concerning the use of windows for fire service access, starting points for measuring the 50 lineal feet, and the amount of exiting provided in the plans. Commissioner Christoffersen moved to table to allow the proponent time to consider their options to achieve compliance, with the second by Commissioner Corey. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission for lunch at 12:10 p.m. It was called back to order at 1:05 p.m.

- (36) 12-06-22(a)(b)(c)(d)(e)(f)(g)(h) Miller's Merry Manor Assisted Living Facility, Mooresville

Ed Rensink, RTM Consultants, and Ted Behr, Miller's Merry Manor, spoke as proponent. Variance (a) was to allow the Type VA construction building to be over area by 28% on the largest single floor with A-2 and I-1 occupancies, and over allowable height in the A-2 fire area. The core of the building was separated from the residential wings by 1-hour fire partitions, and sprinklered per NFPA 13R. The second floor dining area in the core of the building had exits directly to the exterior due to the sloping grade of the site. The proponent was to enhance the sprinkler system to cover the entire attic area, screened porches and front canopy. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was a request to allow an unenclosed monumental stair which connected three stories. The stair, which is not a required stair, was to have a sprinkler curtain installed on each floor level opening. Smoke detectors were also to be provided in the center core area. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was to allow six rooms on the third floor to open onto an unenclosed balcony which led to the residential wings. Smoke detectors tied to the fire alarm system were to be provided. Variance (d) was a request to allow the corridors from the residential wings to pass through the center core area. An infrared detection system was to be installed, aimed at the first floor of the atrium, to monitor for any rising heat. Commissioner Hawkins moved to approve both (c) and (d), with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (e) was to allow exterior screened-in porches and balconies to not be fully 1-hour construction. The automatic sprinkler system was to be extended to protect these areas. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (f) was to allow laundry room doors to open directly into the 1-hour stair enclosure. The doors were to be upgraded to 60-minute, self-closing doors. Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (g) was to allow the center core area to not have floor draft stops every 1,000 square feet. The affected floor assemblies were of 1-hour rated construction. Commissioner Hawkins moved to approve if the 1-hour floor/ceiling assembly was provided in the kitchen, including the walls between the drop ceiling, and there were no penetrations between the two ceilings. Commissioner Corey made the second. It was voted upon and carried. Variance (h) was withdrawn by the proponent.

- (37) 12-06-25 Highland Lakes Baptist Camp New Cabin, Martinsville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the sprinklers from a new camp cabin structure with four sleeping rooms. There were two exits to the exterior, as well as egress windows in the sleeping rooms. Interconnected smoke detectors would be provided in each sleeping room and in the main lodge room. Travel distance was 56 feet, and no cooking, other than in a microwave, was to be allowed. There was no public water system, domestic water being provided by a well. The proponent stated he was concerned that a significantly large tank would be required for an alternative sprinkler system. Following discussion, Commissioner Corey moved to table to allow the proponent time to research the alternative system. Commissioner Hawkins made the second. It was voted upon and carried.

- (38) 12-06-26 Esplanade Annex Renovation, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An apartment building was being renovated and the nine units were being reduced to six units. Two existing stairs were to be replaced with 6'6" wide enclosed spiral stairs to serve as second exits. The building was to be sprinklered with a 13R system. Following discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried with one nay vote.

- (39) 12-06-27 Addition to Liberty Mills Church of the Brethren, Liberty Mills

Mark Mynhier, architect, spoke as proponent. A small church was increasing the size of the sanctuary, and had submitted plans for review. The reviewer had included all areas of the church as if simultaneously in use when calculating the occupant load, and established the sanctuary occupancy at 277. The congregation numbers 150. The request was to omit sprinklers. There is no public water system available, and the cost of a new well and sprinkler system would be a hardship. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (40) 12-06-28 Saddle Up Saloon and Dance Hall, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Three separate tenant spaces were to be consolidated to create the bar and dance hall. The partial change of occupancy would require full compliance with current code with separation and fire wall requirements. Based on the location of existing fire walls, the new space would exceed allowable area. The request was to allow over area, and to allow the existing fire walls to define the limits of the building. The new tenant space was to be sprinklered throughout with an NFPA 13 system, a Type 1 hood and suppression system would be installed in the kitchen, and the tenant to the north would be separated by a new 2-hour fire barrier. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

12-06-29 Elizabeth Aldora Massage Therapy, Indianapolis was withdrawn.

- (41) 12-06-30 10th and College Horizons Apartments, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The exterior egress balconies were enclosed on one side and open on the other, but they didn't meet the 50% open rule along the length of the walkways. The sprinklered buildings were to have a sprinkler located within the units that faced the exterior wall of another unit, and the balconies were to be sprinklered. No grilling was to be permitted on the balconies. Following discussion, Commissioner Hawkins moved to approve with the condition that no grilling was to be allowed on the balconies. Commissioner Christoffersen made the second. It was voted upon and carried.

- (42) 12-06-31 Cesar's Group Fitness Studio LLC, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The tenant space was to undergo a change of occupancy from a B to an A-3 Occupancy. The building was thought to have been constructed with fire walls, but was found to have fire barriers. The request was to be allowed to increase existing 1-hour fire barriers to 2-hour barriers and omit sprinklers. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) had been withdrawn.

- (43) 12-06-33(a)(b) Rushton Apartments, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. An historic 1906 apartment building had been saved from demolition by Indiana Landmarks Corporation and other groups, and was being brought back. Variance (a) was to allow the existing egress stair and the proposed new enclosed egress stair to not comply with separation requirements. Use of historic tax credits dictated that the existing floor plans remain similar to the existing configuration, while site constrictions dictate where the stairs outside the building footprint would be permitted. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) involved new dryer vent openings in the west exterior wall of the building that marginally increase the percentage of openings. The building was to be sprinklered with an NFPA 13R system. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (44) 12-06-34 Delaware County Fairground Pressbox, Muncie

Brian Hollars, architect, appeared as proponent. The staff review had recommended that no variance was required because the space was to be unconditioned. Commissioner Hawkins moved no variance required, with the second by Commissioner Corey. It was voted upon and carried.

- (45) 12-06-35(a)(b) KFJ Group Remodel, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing storage building was to have a second floor constructed and used as a lounge/game area, and would require a sprinkler system. The request was to omit the sprinklers. The second floor space would be used only by the owner and his guests, with the occupancy not to exceed 50 people. The floor would be completely open to the first floor, except for the restroom area, and would be separated by a railing. Travel distance would not exceed 90 feet. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) had been withdrawn.

- (46) 12-06-36 Steve Green Building, Pekin

Ed Rensink, RTM Consultants, spoke as proponent. The building consisted of an auto shop and storage on the first floor, and an owner-occupied apartment on the second floor. The request was to omit sprinklers. The apartment was to be separated by 2-hr walls, had exiting directly to the exterior, and had egress windows in the bedroom. The owner proposed to install an interconnected system of smoke detectors throughout, including the apartment, with rate of rise detectors in the auto shop. Following discussion, Commissioner Christoffersen moved to approve with the condition of a smoke detection system being installed and the apartment to be owner-occupied. Commissioner Mitchell made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hannum recessed the Commission at 2:35 p.m. It was called back to order at 2:47 pm.

- (47) 12-06-39(a)(b) County Line Church of God Worship Space Addition, Auburn

Ed Rensink, RTM Consultants, spoke as proponent. A new worship area and office was to be added to the church. The existing sanctuary was to be converted to a multipurpose area. The proponent would like to separate the addition from the existing construction with a 2-hour fire barrier with rated openings. There would also be a sprinkler curtain on both sides of the unprotected openings. The addition would be sprinklered, while the existing building would not. Following discussion, Commissioner Brown moved to approve both variance (a) and (b), with the second by Commissioner Corey. It was voted upon and carried.

- (48) 12-06-40 OSMC Offices and Storage Renovation, Elkhart

Chris Tadych, architect, spoke as proponent. An existing grocery store was to be renovated and changed to office space for 95 persons, with storage area in the remaining two-thirds of the building. The request was to abandon-in-place the sprinkler system which the proponent felt would not be required in the new occupancy. The storage area for automobiles and rv's would be separated by a 2-hour fire separation wall. The fire department had requested signage be installed that the sprinkler system was not operational. Discussion was held concerning the planned method of decommissioning the sprinkler system. Commissioner Christoffersen moved to table to allow the proponent to determine how the system would be handled and to determine the proper occupancy classification of the storage area. Commissioner Brown made the second. It was voted upon and carried.

- (49) 12-06-41 The Warehouse by the Family Center, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. He requested the variance be tabled. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (50) 12-06-43 Electroacoustic Sound Lab Smoke Detector, Indianapolis

Elliott Berger, 3M Research, spoke as proponent. The sound lab is a small metal chamber made of modular panels, its floor mounted on springs to isolate it from building sound vibrations, located within the overall laboratory. It was fitted with a steel door and bullet-proof glass windows. The local fire department issued a citation, calling for a sprinkler to be installed inside the chamber. The request was to omit the sprinkler and install a smoke detector integrated with the overall alarm system. Any mechanical connections between the room and the chamber would invalidate test measurements needed for their research. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (51) 12-06-45(a)(b) St. Vincent Fishers Hospital Inpatient Expansion, Fishers

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Variance (a) was a request to allow the smoke barrier doors to be installed to both swing the same direction to secure the patient area by restricting access to employees only. The doors in question would not serve smoke compartments with patient areas, thereby not hindering the transfer of patients from one compartment to the next. The building is protected by an NFPA 13 system and quick response sprinklers. Commissioner Cloud moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow a 23 foot dead-end corridor on the second and third floors in a patient area under 24/7 monitoring. Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (52) 12-06-48 Carmel City Center Encore Celebration Gala, Carmel

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to be allowed to use the garage of the Center for the Performing Arts as an assembly area for a one-day fund raising event. The building was sprinklered, and the garage had double the amount of exiting for the expected number of occupants, and a CO₂ detection system. Commissioner Mitchell moved to approve with the condition of an approved fire watch. Commissioner Cloud made the second. It was voted upon and carried.

- (53) 12-06-51 Ball State University Museum of Art Renovation, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. The second story of the existing museum was being renovated to provide more exhibit space. The request was to allow delayed egress on the doors to the stairs which exit directly to the exterior to serve as a theft-deterrent. Two egress stairs would be unaffected. The doors were to fail open at loss of power and at the activation of the sprinkler system. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote.

- (54) 12-06-53 Kunkle Square Apartments, Evansville

Ed Rensink, RTM Consultants, and Benjamin Kunkle, owner, spoke as proponents. The application was a follow-up to the denied variance from the previous month. The exterior stair was being enclosed, and doesn't go to the twelfth floor. The space was to function as an attic since the ceiling height was six feet. The door would be replaced with an attic access panel, and locked to prevent use by tenants. The space would be sprinklered. An addition access hatchway could be provided for the local fire department if needed. Following discussion, Commissioner Christoffersen moved to approve with the additional fire department access from the roof to the 12th floor, with the second by Commissioner Mitchell. It was voted upon and carried.

- (55) 12-06-55 The Flats, Terre Haute

Richard Jenkins, owner, spoke as proponent. The request was to allow the use of a 13D sprinkler system in lieu of the required 13R. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (56) 12-06-56 Whiteland Community High School Re-roof, Whiteland

Miles Kappes, Moisture Management, spoke as proponent. The request was to be allowed to remove both roofs from five sections of the existing school and replace with only one covering instead of replacing the whole roof as required by code, thereby adding only one pound to the roof structure. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (57) 12-06-57(a)(b) Fashion Mall at Keystone Addition and Renovation, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to be allowed to install quick response sprinklers in portions of the addition and remodeled mall. Code requires all sprinklers in the compartmented space to be similar. The water supply was adequate to handle the sprinklers. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was a request to allow some electrical conduit and piping to be located in the exit passageway/service corridor. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (58) 12-06-59 Trader's Point Creamery – Red Barn, Zionsville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A Chapter 34 evaluation had been done, and they had passed with the A-3 occupancy, but needed a fire alarm system with the A-2 occupancy. The request was to omit the fire alarm system and allow the use of a heat detection system. A smoke modeling program had been run for the barn, and they were 1.2 points short of passing without the alarm system. Sam Bruner, Pike Twp. Fire Department, addressed the Commission, listing several demands being made by his department. The proponent offered to set the occupant load limit at 250 persons. Following discussion, Commissioner Hawkins moved to approve with the occupant load limit of 250 persons. Commissioner Christoffersen made the second. It was voted upon and carried with two nay votes.

- (59) 12-06-60(a)(b) Ella's Frozen Yogurt and More, Greenwood

Tim Callas, J&T Consulting, spoke as proponent. The existing tenant space was expanding into the neighboring space, bringing the occupancy from 18 up to 90. The request in (a) was to omit sprinklers and (b) was to allow the 2-hour fire barrier separating the tenant spaces to use wood studs with three layers of Type X drywall on one side of the wall and one layer on the other. Mike Arany, White River Twp. Fire Department Fire Marshal, stated they did not object to the variance as long as the space didn't convert to a bar or nightclub. Commissioner Christoffersen moved to approve both (a) and (b), with the second by Commissioner Hawkins. It was voted upon and carried.

4. New Business – General.

Discussion and possible Commission action

Arem Corporation
Administrative Cause No. 09-36
Elevator Inspection Fees
Nonfinal Order of Dismissal

Evansville Scottish Rite Cathedral
Administrative Cause No. 09-47
Operating Permit Revocation
Nonfinal Order of Dismissal

Zeller Elevator Company
Administrative Cause No. 09-48
Operating Permit Revocation
Nonfinal Order of Dismissal

Gateway Childcare
Administrative Cause No. 12-04
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

733 North Capitol Avenue
Administrative Cause No. 10-31
Denial of Application
Nonfinal Order of Dismissal

Mt. Pleasant Church
Administrative Cause No. 10-15
Order – White River Twp. Fire Department
Nonfinal Order of Dismissal

Vanderburgh County Jail
Administrative Cause No. 09-04
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Section R313 Smoke Detectors
Administrative Cause No. 10-27
Interpretation of Building Law Compliance Officer
Report and Order on Motion on Summary Judgment

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal. Commissioner Mitchell made the second. It was voted upon and carried.

Discussion and Possible Commission action on petitions for review (Timely filed unless otherwise noted.)

Vincennes YMCA
Order – Fire and Building Code Enforcement

YMCA Day Care
Order – Fire and Building Code Enforcement

Cradles to Crayons, LLC
Order – Fire and Building Code Enforcement

Be Here Now
Order – Fire and Building Code Enforcement

Romweber Flats
Denial of Variance 12-05-4©(d)

Traders Point Creamery
Approval of Variance 12-04-16(b)

Mill Top Banquet and Conference Center
Order – Fire and Building Code Enforcement

Commissioner Corey moved to approve the petitions for review. Commissioner Mitchell made the second. It was voted upon and carried.

5. Interpretation of Sec. 90.2 of the 2009 Indiana Electrical Code.

Mara Snyder asked the members of the Commission if they agreed with the staff's interpretation of Sec. 90.2 of the 2009 Indiana Electrical Code. Staff felt that traffic signals, billboards, phone cabinets, electrical car stations and other electrical systems that

are on the customer side of the service point and that are not related to a Class 1 or Class 2 structure that is on the same land as the electrical wiring system or service are not considered to be “other premises wiring covered by the rules of the Commission”. The consensus of the Commission was that they did agree with the staff interpretation.

6. Discussion of applicability of Section 503.1 of the Fire Code to existing buildings undergoing a change of occupancy under Chapter 34.

At the May Commission meeting, Ms. Snyder had asked the Commission to discuss the issue and provide guidance on the question “If the building code doesn’t require a building to be sprinklered, does that affect, in any way, the fire code requirement for fire department access roads for whatever reason”? Commission members agreed with the interpretation presented by Commissioner Mitchell, that they are not required to comply with the access road requirement. Chapter 5 of the Fire Code doesn’t apply to a Chapter 34 project.

7. Greenwood Common Council Ordinance No. 12-15 Open Burning

Mara Snyder, Director, Legal and Code Services, announced that the ordinance was to be returned to the City of Greenwood for revisions and would not be heard at this time.

8. Rule Re-adoption LSA Doc. #12-260

Mara Snyder, Director, Legal and Code Services, explained that the LSA Doc. #12-260 was to readopt, without changes, some Commission rules which were due to expire.

9. Comments

Mara Snyder, Director, Legal and Code Services, thanked the Commissioners for attending. She stated that the public hearing for the NFPA Standards was to be held the next week by Denise Fitzpatrick, and that the Budget Agency had approved the Plumbing Code. The Building Code review committee would be meeting June 26, 2012 in Lawrence. She also advised the Commission that the fiscal year was ending and that no money would be paid out by the State until July, so reimbursements would be delayed until that time.

10. Adjournment.

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 4:05 p.m.

APPROVED _____
David Hannum, Chairman